

**SUMMARY REPORT
OF COUNCIL ACTION TAKEN AT THE NOVEMBER 3, 2009 REGULAR MEETING**

This summary is a statement of legal actions taken by the Cottonwood City Council at a regular meeting pursuant to A.R.S. § 38-431.02(D), and is being provided as required by A.R.S. § 38-431.01(D.).

Council Members Present: Vice Mayor Karen Pfeifer, Council Members Tim Elinski, Duane Kirby, Linda Norman, Terence Pratt, and Darold Smith. Council Member absent: Mayor Diane Joens (due to her attendance at the Arizona Town Hall session).

Vice Mayor Pfeifer called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES—Special Joint Work Session of 10/22/09

The Council unanimously approved the minutes as presented.

OLD BUSINESS

ORDINANCE NUMBER 551—AMENDING THE CITY OF COTTONWOOD EMPLOYEE MANUAL 2007 EDITION, REVISION NUMBER 1., BY DELETING SECTION 33., CHARITIES, DONATIONS, SOLICITATION, & ADVERTISING, IN ITS ENTIRETY; AND ADDING A NEW SECTION 33., CHARITIES, DONATIONS, SOLICITATIONS, & ADVERTISING; SECOND AND FINAL READING

The Council unanimously approved Ordinance Number 551. This Ordinance outlines the City's policy toward employee charitable solicitations and activities during working hours; and for-profit advertising and solicitation on City property.

The effective date of Ordinance Number 551 is December 3, 2009.

ORDINANCE NUMBER 552—AMENDING TITLE 8, HEALTH AND SAFETY, CHAPTER 8.32 ALARM SYSTEMS; OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD, BY DELETING CHAPTER 8.32 ALARM SYSTEMS, IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 8.32 ALARM SYSTEMS; SECOND AND FINAL READING

The Council unanimously approved Ordinance Number 552. This Ordinance replaces the current section of the Municipal Code which deals with alarm systems. Part of the amendments include: Defines the responsible party of an alarm system to include store manager or property manager; Reduces the number of false alarm calls before enacting penalty assessments; Increases the penalty assessment on a progressive basis for the third and subsequent false alarms; Allows for collection of unpaid penalty assessments at the time of request for annual business license renewal; Allows for a penalty assessment if responsible party information is not made available to the department.

The effective date of this Ordinance is December 3, 2009.

ORDINANCE NUMBER 553--AMENDING THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD, ARIZONA, BY ADDING A NEW CHAPTER 9.24 UNRULY GATHERINGS, TO TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE; SECOND AND FINAL READING

The Council unanimously approved Ordinance Number 553. This Ordinance adds a new chapter to the City Code which deals with the enforcement of unruly gatherings.

The effective date of this Ordinance is December 3, 2009.

CONSENT AGENDA

APPROVAL OF AMENDMENT NUMBER 1 TO THE ARIZONA DEPARTMENT OF TRANSPORTATION AERONAUTICS GRANT FOR THE PERIMETER ROAD AT THE COTTONWOOD AIRPORT

The Council unanimously approved Amendment Number 1 (extension of the grant time period) to the ADOT aeronautics grant for the perimeter road at the Cottonwood Airport.

NEW BUSINESS--The following items are for Council discussion, consideration, and possible legal action

DETERMINATION OF CHOOSING A WATER SOURCE FOR THE UTILITY DEPARTMENT TO SERVICE VERDE VILLAGE UNITS 6 & 7

The Council approved, with a dissenting vote by Council Member Smith, entering into a sales agreement for the purchase of the Quail Canyon water system for a purchase price of \$850,000.

ANNEXATION OF THE QUAIL CANYON DEVELOPMENT LOCATED OFF OF QUAIL SPRINGS RANCH ROAD

The Council directed staff to move forward on the annexation of the Quail Canyon development located off of Quail Springs Ranch Road.

APPROVAL AND ACCEPTANCE OF A YAVAPAI COUNTY COMMUNITY FOUNDATION CHECK AWARD FOR THE 2009 CANINE IN LAW ENFORCEMENT GRANT

The Council approved the acceptance of a Yavapai County Community Foundation grant in the amount of \$2,060 for veterinary expenses and training equipment for the police department's two canines.

RESOLUTION NUMBER 2482--DECLARING THAT CERTAIN DOCUMENT TITLED SECTION 407. LANDSCAPING REQUIREMENTS, PERTAINING TO THE COTTONWOOD ZONING ORDINANCE, A PUBLIC RECORD

The Council unanimously approved Resolution Number 2482, which declares as a public record a new Section 407. Landscaping Requirements, pertaining to the Cottonwood Zoning Ordinance.

ORDINANCE NUMBER 554--AMENDING SECTION 407. LANDSCAPE REQUIREMENTS, OF THE COTTONWOOD ZONING ORDINANCE; BY DELETING SECTION 407. LANDSCAPE REQUIREMENTS, IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 407. LANDSCAPE REQUIREMENTS; FIRST READING

The first reading of Ordinance Number 554 was held. This Ordinance proposes adopting a new Section 407. Landscaping Requirements, of the Cottonwood Zoning Ordinance, pertaining to revised procedures and standards for required landscaping in Cottonwood.

The second and final reading of Ordinance Number 554 is scheduled for November 17, 2009.

APPROVAL OF A REQUEST FOR PROPOSAL FOR THE SUBLEASE AND DEVELOPMENT OF A FOR-PROFIT WINE TASTING ROOM ON CITY OWNED PROPERTY COMMONLY KNOWN AS THE "OLD TOWN JAIL"

The Council unanimously approved the release of a Request for Proposal for the sub-lease and development of a for-profit wine tasting room in the Old Jail building owned by the City located in Old Town Cottonwood.

CLAIMS & ADJUSTMENTS

The Council unanimously approved the Claims and Adjustments as presented.

EXECUTIVE SESSION--A.R.S. § 38-431.03.(A)(3)(4) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY; DISCUSSION OR CONSULTATION WITH THE ATTORNEYS OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE THE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSION CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION (POSSIBLE BOUNDARY AGREEMENT WITH THE TOWN OF CLARKDALE)

The Council convened into executive session for this item and took no action upon reconvening into regular session.

EXECUTIVE SESSION--A.R.S. § 38-431.03(A)(4)(7)--DISCUSSION OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY; DISCUSSION OR CONSULTATION WITH THE ATTORNEYS OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND

INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE THE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION (FOR THE PROPERTY KNOWN AS GARDNER'S RECYCLING, ASSESSOR PARCEL NUMBERS 406-36-023, 406-36-021B, 406-34-011 AND 406-34-010)

The Council convened into executive session for this item and took no action upon reconvening into regular session.

ADJOURNMENT

The regular meeting adjourned at 9:42 p.m.